



Entered on Docket  
December 31, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

Electronically Filed on \_\_\_\_\_

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Bank of America National Association as Successor by Merger to LaSalle Bank National Association,  
as Trustee for Morgan Stanley Loan Trust 2006-7  
09-75021

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Kyong-He Leary

Debtor.

BK-09-12382-lbr

Date: 12/8/09

Time: 1:00pm

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor Bank of America National Association as Successor by Merger to LaSalle Bank National Association, as Trustee for Morgan Stanley Loan Trust 2006-7, its assignees and/or successors in interest, of the subject property, generally described as 2860 Morewell St., Las Vegas, NV 89117, and legally described as follows:

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS:

LOT TWENTY-ONE (21) MERIDIAN UNIT NO. 1 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 101, OF PLATS, PAGE 4, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtor at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

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1 IT IS FURTHER ORDERED that in the event a Notice of Default has been recorded against this particular  
2 property there can be no sale for sixty (60) days, allowing the Debtor(s) to submit a copy of this Order to the  
3 State of Nevada, Foreclosure Mediation Program, and the Order will be construed as an agreement between the  
4 Secured Creditor and Debtor(s) that they have voluntarily agreed to a mediation under the Nevada State  
5 Foreclosure Mediation Program pursuant to Rule 6 of said program. The necessary information can be accessed  
6 at <http://www.nevadajudiciary.us/>.

7  
8  
9 DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

10 Submitted by:  
11 **WILDE & ASSOCIATES**

12 By: /s/Gregory L. Wilde, Esq  
13 **GREGORY L. WILDE, ESQ.**  
14 Attorney for Secured Creditor

15 APPROVED / DISAPPROVED

16 \_\_\_\_\_  
17 Michael J. Dawson  
18 Attorney for Debtor

19 APPROVED / DISAPPROVED

20 \_\_\_\_\_  
21 Kathleen A Leavitt  
22 Chapter 13 Trustee  
23  
24  
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

23  
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor